

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10/11/2018

-----X	18-CV-8986-VEC
:	18-CV-9006-VEC
IN RE LEHMAN BROTHERS HOLDINGS INC. :	18-CV-9176-VEC
:	18-MC-392-VEC
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ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS three motions for leave to appeal an August 13, 2018 Memorandum Decision and Order of the U.S. Bankruptcy Court for the Southern District of New York have been filed in separate dockets, numbered 18-CV-8986, 18-CV-9006, and 18-CV-9176; and

WHEREAS a separate action was filed in the docket numbered 18-MC-392, seeking to treat the August 13, 2018 Memorandum Decision and Order “as findings of fact and conclusions of law for a *de novo* review”; and

WHEREAS all of the above-referenced cases have been assigned to the undersigned; and

WHEREAS Lehman Brothers Holdings Inc. (“LHBI”) is the Appellee in all of the above-referenced cases; and

WHEREAS LHBI has moved to consolidate all of the above-referenced cases;

IT IS HEREBY ORDERED THAT:

1. LHBI’s motion for consolidation is granted in part. Case Nos. 18-CV-8986, 18-CV-9006, and 18-CV-9176 are hereby CONSOLIDATED for all purposes onto the docket of Case No. 18-CV-8986. No later than **October 16, 2018**, the Appellants in Case Nos. 18-CV-9006 and 18-CV-9176 must resubmit their notices of appeal and motions for leave to appeal on the docket of Case No. 18-CV-8986. By the same date, all parties in Case Nos. 18-CV-9006 and 18-CV-9176 must file notices of appearance in Case No. 18-CV-8986. **All parties in Case Nos.**

**18-CV-8986, 18-CV-9006, and 18-CV-9176 must file all future submissions on the docket of Case No. 18-CV-8986.**

2. The Court will not, however, consolidate the above-referenced cases with Case No. 18-MC-392; to the extent that LHBI moves to consolidate Case No. 18-MC-392 with the other cases, that motion is denied.

3. No later than **October 22, 2018**, LHBI must file a single, omnibus brief in response to the motions for leave to appeal that have been filed in Case Nos. 18-CV-8986, 18-CV-9006, and 18-CV-9176. No later than **November 26, 2018**, the Appellants in these cases must file a single, joint reply brief in support of their motions.


4. All parties are directed to review the undersigned's Individual Practices in Civil Cases, available at <http://www.nysd.uscourts.gov/judge/Caproni>.

5. The Clerk of Court is directed to DOCKET this order in Case Nos. 18-CV-8986, 18-CV-9006, 18-CV-9176, and 18-MC-392. The Clerk is further directed to CLOSE Case Nos. 18-CV-9006 and 18-CV-9176, and to terminate all open motions therein.

6. LHBI is responsible for distributing copies of this order to all parties in the above-referenced cases.

**SO ORDERED.**

**Date: October 11, 2018**  
**New York, New York**

  
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**VALERIE CAPRONI**  
**United States District Judge**